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Attorneys for Defendant,
GARRISON PROPERTY AND CASUALTY
INSURANCE COMPANY

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWARD WHEELER,

Plaintiffs,

vs.

GARRISON PROPERTY AND CASUALTY
INSURANCE COMPANY, and DOES 1 to 25,
inclusive,

Defendants.

CASE NO. 2:23-cv-00623-TLN-AC

**JOINT STIPULATION AND ORDER TO
MODIFY SCHEDULING ORDER**

Plaintiff Edward Wheeler (“Wheeler”) and Defendant Garrison Property and Casualty Insurance Company (“Garrison”) hereby agree and stipulate as follows:

STIPULATION

WHEREAS, on June 14, 2023, the Court granted the parties’ Joint Stipulation to Modify the Initial Pretrial Scheduling Order (Dkt. 11), and set the following pertinent case management deadlines:

1. Fact Discovery Cutoff: March 5, 2024
2. Expert Disclosures: May 3, 2024

3. Rebuttal Expert Disclosures: May 31, 2024

4. Supplemental Discovery Cutoff: July 31, 2024

5. Dispositive Motion Deadline: August 30, 2024

WHEREAS, the parties have been and continue to be diligently engaged in discovery, including written discovery and the setting of necessary percipient depositions;

WHEREAS, based upon the discovery obtained to date, the parties are in the midst of engaging in settlement discussions, and are hopeful the matter will resolve;

WHEREAS, the parties have agreed to proceed to Mediation and are in the process of selecting a Mediator and setting a Mediation date in the coming months, as the Mediator and counsel's schedules allow,

WHEREAS, the parties agree there is a greater likelihood settlement will be reached in this matter with additional time, and with the avoidance of expending fees on retaining expert witnesses and engaging in further discovery and potential motion practice;

WHEREAS, the parties believe that a second brief continuance of the case management deadlines by roughly 120 days is warranted to allow for further settlement negotiations and resolution of the matter;

WHEREAS, the parties have previously sought one time modification in this case;

WHEREAS, the parties agree they will not be prejudiced by the continuance of the discovery deadlines in this case;

WHEREAS, based upon the foregoing the parties believe good cause exists for the modification of the Court's June 14, 2023 Scheduling Order;

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1 THEREFORE. IT IS HEREBY STIPULATED THAT the parties, by and through their
2 counsel, jointly and respectfully request that the Court modify the case management deadlines in
3 this case as follows:

- 4 1. Fact Discovery Cutoff: July 3, 2024
- 5 2. Expert Disclosures: September 2, 2024
- 6 3. Rebuttal Expert Disclosures: May 31, 2024
- 7 4. Supplemental Discovery Cutoff: May 31, 2024
- 8 5. Dispositive Motion Deadline: December 27, 2024

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10 SO STIPULATED.

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12 Dated: January 29, 2024

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14 By: /s/Joshua N. Kastan

JOSHUA N. KASTAN

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GARRISON PROPERTY AND CASUALTY

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20 Dated: January 29, 2024

GAVRILOV & BROOKS

21
22 By: /s/Matthew Richard*

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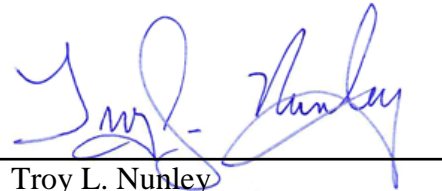
**Signed with permission*

ORDER

Pursuant to the parties' stipulation and good cause appearing, it is hereby ORDERED that the Scheduling Order as set on June 14, 2023 (Dkt. 11) is hereby modified as follows:

1. Fact Discovery Cutoff: July 3, 2024
2. Expert Disclosures: **September 3, 2024**
3. Rebuttal Expert Disclosures: **October 1, 2024**
4. Supplemental Discovery Cutoff: **October 1, 2024**
5. Dispositive Motion Deadline: December 27, 2024

ORDERED and dated this 29th day of February, 2024.



Troy L. Nunley
United States District Judge